

The Hon. James L. Robart

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

GENE WAMSLEY,

Defendant.

No. CR20-095-JLR

~~[PROPOSED]~~

**ORDER OF FORFEITURE**

THIS MATTER comes before the Court on the United States' Motion for Entry of an Order of Forfeiture ("Motion") seeking to forfeit to the United States Defendant Gene Wamsley's interest in the following property:

A sum of money in the amount of \$21,750, representing proceeds the Defendant obtained from his Theft of Government Property. The United States agrees it will request the Attorney General apply any amounts it collects toward satisfaction of this forfeited sum to the restitution that is ordered in this case. The United States also agrees that any amount the Defendant pays toward restitution will be credited against this forfeited sum.

The Court, having reviewed United States' Motion, as well as the other papers and pleadings filed in this matter, hereby FINDS entry of an Order of Forfeiture is appropriate because:

- 1 • The proceeds of Theft of Government Property, in violation of 18 U.S.C. §  
2 641, are forfeitable pursuant to 18 U.S.C. § 981(a)(1)(C), by way of 28 U.S.C.  
3 § 2461(c);
- 4 • In his plea agreement, the Defendant agreed to forfeit the above-identified sum  
5 pursuant to 18 U.S.C. § 981(a)(1)(C), by way of 28 U.S.C. § 2461(c), as it  
6 reflects proceeds he obtained from his Theft of Government Property (Dkt. No.  
7 28, ¶ 10); and,
- 8 • This sum of money is personal to the Defendant; pursuant to Federal Rule of  
9 Criminal Procedure (“Fed. R. Crim. P.”) 32.2(c)(1), no third-party ancillary  
10 process is required before forfeiting it.

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12 NOW, THEREFORE, THE COURT ORDERS:

13 1) Pursuant to 18 U.S.C. § 981(a)(1)(C), by way of 28 U.S.C. § 2461(c), the  
14 Defendant’s interest in the above-identified sum of money is fully and finally forfeited, in  
15 its entirety, to the United States;

16 2) Pursuant to Fed. R. Crim. P. 32.2(b)(4)(A) – (B), this Order will become  
17 final as to the Defendant at the time he is sentenced; it will be made part of the sentence;  
18 and, it will be included in the judgment;

19 3) No right, title, or interest in the identified sum of money exists in any party  
20 other than the United States;

21 4) Pursuant to Fed. R. Crim. P. 32.2(e), in order to satisfy this sum of money,  
22 in whole or in part, the United States may move to amend this Order, at any time, to  
23 include substitute property having a value not to exceed \$21,750; and,

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1           5)     The Court will retain jurisdiction in this case for the purpose of enforcing  
2 this Order, as necessary.

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4           IT IS SO ORDERED.

5           DATED this 28<sup>th</sup> day of December, 2020.

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THE HON. JAMES L. ROBART  
UNITED STATES DISTRICT JUDGE

Presented by:

s/Krista K. Bush

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